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Attorneys for Plaintiffs,
MYGUIDE HOLDING GMBH
and MYGUIDEGPS LTD.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

MYGUIDE HOLDING GMBH
and MYGUIDEGPS LTD.,

Plaintiffs,

V.

RANDOLPH KEMPS, an individual,
ARES DIGITAL, INC., and MYGUIDE
(USA) INC.

Defendants.

Case No. C 08-0057 JF

JOINT CASE MANAGEMENT STATEMENT AND STIPULATED REQUEST FOR ORDER CHANGING TIME

1 Counsel report that they have conferred and agreed to the following stipulation pursuant
2 to Civil L.R. 6-2 and 16-10(d):

3 1. This action was filed on January 4, 2008. Defendants' answer and counterclaims
4 were filed on February 25, 2008.

5 2. On April 11, 2008, the parties submitted a stipulation and proposed order
6 reflecting their agreement to engage in court-ordered mediation pursuant to ADR L.R. 6. An
7 order referring this case to mediation was entered on April 16, 2008. Mr. Roderick Thompson
8 was appointed to serve as the mediator on April 25, 2008.

9 3. On April 25, 2008, the parties submitted separate case management statements
10 pursuant to Civil L.R. 16-9, and a Case Management Conference was convened on May 2,
11 2008. At the Case Management Conference, the Court informed the parties that it would not
12 enter a scheduling order until after the mediation had taken place, and it set a subsequent Case
13 Management Conference for June 27, 2008.

14 4. The parties engaged in a mediated settlement conference on Monday, June 9,
15 2008, and have reached agreement on settlement in principle. Upon finalization and
16 documentation, the parties' agreement for settlement would resolve all claims pending in this
17 action.

18 5. To allow time for the settlement to be finalized and documented, the parties
19 jointly seek a thirty-day continuance of the Case Management Conference currently scheduled
20 for June 27, 2008.

21 6. As stated in the accompanying declaration, there have been no prior time
22 modifications other than for the filing of initial pleadings, and the requested time modification is
23 unlikely to have a significant effect on the schedule for the case.

24
25 Dated: June 16, 2008

/s/

26 W. Mark Conger, Esq. (Admitted *Pro Hac Vice*)
27 Kilpatrick Stockton LLP
28 1001 West Fourth Street
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1 Dated: June 16, 2008

/s/

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Attorneys for Plaintiffs MyGuide Holding GmbH
and MyGuideGPS Ltd.

7 Dated: June 16, 2008

/s/

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E-Mail: dmorales@moraleslawfirm.com

Attorney for Defendants Randolph Kemps,
Ares Digital, Inc., and MyGuide (USA), Inc.

14 **Signature Attestation**

15 I hereby attest that I have on file all holograph signatures for any signatures indicated by
16 a "conformed" signature (/s/) within this efiled document.

17 Dated: June 16, 2008

Respectfully submitted,

HARVEY SISKIND LLP

/s/

Raffi V. Zerounian

Attorneys for Plaintiffs
MyGuide Holding GmbH and MyGuideGPS Ltd.

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17 Attorneys for Plaintiffs,

18 MYGUIDE HOLDING GMBH

and MYGUIDEGPS LTD.

19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**
21 **SAN JOSE DIVISION**

22 MYGUIDE HOLDING GMBH and
23 MYGUIDEGPS LTD.,

24 Plaintiffs,

25 vs.

26 RANDOLPH KEMPS, an individual, ARES
27 DIGITAL, INC., and MYGUIDE (USA) INC.

28 Defendants.

Case No.: C 08-0057 JF

**DECLARATION OF MARK CONGER
PURSUANT TO LOCAL RULE 6-2(A)**

1 I, Mark Conger, hereby declare under penalty of perjury as follows:

2 1. I am a partner at the law firm of Kilpatrick Stockton, LLP and counsel of record for
3 Plaintiffs MyGuide Holding GmbH and MyGuideGPS Ltd. I submit this declaration pursuant to
4 Local Rule 6-2(a). The information in this Declaration is based on my personal knowledge.

5 2. On Monday, June 16, 2008, I, along with counsel for Defendants, submitted a Joint
6 Case Management Statement and Stipulated Request for Order Changing Time requesting the
7 continuance, for a period of thirty (30) days, of the Case Management Conference currently
8 scheduled for June 27, 2008.

9 3. The purpose of the request is to allow time for the parties to finalize and document a
10 settlement agreement that would resolve all claims asserted in this action.

11 4. No time modifications have previously been obtained other than a stipulated extension
12 of time for the Defendants/Counterclaimants to file their response to the Plaintiffs' Complaint.

13 5. The requested time modification will have no significant effect on the schedule of the
14 case and would allow the parties to focus their efforts on finalizing and documenting their settlement
15 agreement.

16 Dated: June 16, 2008

/s/

Mark Conger

18
19 **Signature Attestation**

20 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
21 "conformed" signature (/s/) within this efiled document.

22 Dated: June 16, 2008

Respectfully submitted,

23 HARVEY SISKIND LLP

24 /s/

Raffi V. Zerounian

25
26 Attorneys for Plaintiffs
27 MyGuide Holding GmbH and MyGuideGPS Ltd.
28

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19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**
21 **SAN JOSE DIVISION**

22 MYGUIDE HOLDING GMBH and
23 MYGUIDEGPS LTD.,

24 Plaintiffs,

25 vs.

26 RANDOLPH KEMPS, an individual, ARES
DIGITAL, INC., and MYGUIDE (USA) INC.

27 Defendants.
28

Case No.: C 08-0057 JF

**[PROPOSED] ORDER CONTINUING
CASE MANAGEMENT CONFERENCE**

1 Pursuant to the parties' Stipulated Request for Order Changing Time, the Case Management
2 Conference currently scheduled for June 27, 2008, is hereby continued and will be rescheduled for a
3 date on or after July 27, 2008.

4 IT IS SO ORDERED.

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6 Dated:

7 _____
8 The Honorable Jeremy Fogel
9 United States District Court Judge
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